

RUA.11377

**IN THE DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**TRAVIS LEE ANDERSON**

**v.**

**RUAN TRANSPORTATION  
MANAGEMENT SYSTEMS, INC.**

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§  
§

**Civil Action No. 3:19-cv-264**

**JURY DEMAND**

**DEFENDANT RUAN TRANSPORTATION MANAGEMENT SYSTEMS, INC.'S  
NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to 28 U.S.C. §§ 1332(a), 1441(a) and 1446(a), named Defendant RUAN TRANSPORTATION MANAGEMENT SYSTEMS, INC. (“Ruan”) and files this Notice of Removal, hereby removing this case from the 448<sup>th</sup> Judicial District Court of El Paso County, Texas to the United States District Court for the Western District of Texas, El Paso Division. In support of this Notice of Removal, Defendant respectfully shows the Court as follows:

**A. INTRODUCTION**

1. Plaintiff is Travis Lee Anderson. Defendant is Ruan Transportation Management Systems, Inc.

2. On August 24, 2019, Plaintiff sued Defendant Ruan for negligence and Defendant 448<sup>th</sup> Judicial District Court, El Paso County, Texas; Case No. 2019DCV3211 (the “lawsuit” or “suit”). This lawsuit involves an injury, which occurred on or about June 21, 2018, when Plaintiff injured himself attempting to catch a lift gate and injured his shoulder, has pled in his Original Petition that he “seeks monetary relief in an amount exceeding \$1,000,000.00.”

3. Defendant Travis Lee Anderson received notice of this lawsuit on or about August 29, 2019. Defendant files this notice of removal within the 30-day time period required by 28 U.S.C. § 1446(b)(1).

## **B. BASIS FOR REMOVAL**

4. **Diversity Jurisdiction** – Removal is proper because there is complete diversity between the parties, 28 U.S.C. §1332(a); *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899-900 (9<sup>th</sup> Cir. 2006). Plaintiff is a citizen of the state of New Mexico. Defendant Ruan is incorporated in the state of Iowa and has its principal place of business and corporate headquarters in the state of Iowa.

5. **The Amount in Controversy Exceeds \$75,000** – The amount in controversy exceeds \$75,000.00, excluding interest and costs. 28 U.S.C. §1332(a); *Andrews v. E.I. du Pont de Nemours & Co.*, 447 F.3d 510, 514-15 (7<sup>th</sup> Cir. 2006). In its lawsuit, Plaintiff seeks monetary relief over \$1,000,000.00.

6. Copies of all pleadings, process, orders, and other filings in the state-court suit are attached to this notice as required by 28 U.S.C. §1446(a).

7. Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where the suit has been pending is located in this district.

8. Defendant Ruan will promptly file a copy of this notice of removal with the clerk of the state court where the suit has been pending.

## **C. JURY DEMAND**

9. Plaintiff demanded a jury in the state court suit.

## **D. CONCLUSION**

10. For these reasons, Ruan Transportation Management Systems, Inc. asks the Court to remove this suit to the U.S. District Court for the Western District of Texas, El Paso Division, and for such other and further relief, both general and special, at law and in equity, to which Defendants may show themselves justly entitled.

Respectfully submitted,

**FEE, SMITH, SHARP & VITULLO, L.L.P**



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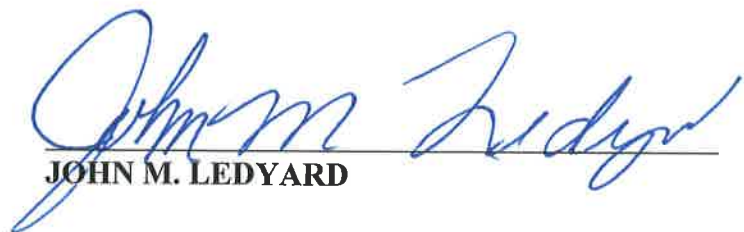
[jledyard@feesmith.com](mailto:jledyard@feesmith.com)

**ATTORNEYS FOR DEFENDANT RUAN  
TRANSPORTATION MANAGEMENT SYSTEMS,  
INC.**

**CERTIFICATE OF SERVICE**

THIS WILL CERTIFY that a true and correct copy of the foregoing instrument has been mailed, e-mailed, e-served, telecopied or hand delivered to all attorneys of record in this cause of action on the 16<sup>th</sup> of September, 2019.

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